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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Gero G. McClellan
Thomason, Moser & Patterson, L.L.P.
Suite 1500
3040 Post Oak Boulevard
Houston, TX 77056-6582

EXAMINER	
SHINGLES, KRISTIE D	

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/886,324	DIEDRICH ET AL.	
	Examiner	Art Unit	
	Kristie Shingles	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

In light of Applicant's claim amendments filed 2/18/2005, claims 1-39 are pending.

Response to Arguments

1. Applicant's arguments, (see Pre-Appeal Brief Request for Review Remarks, page 2), filed 8/22/2005, with respect to the rejection of claims 29 and 34 under 35 U.S.C. 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground of rejection is made in view of *Macpherson et al* (USPN 6,845,400).

2. However, in response to Applicant's arguments (see Pre-Appeal Brief Request for Review Remarks, page 3) that,

> "Both the Examiner and the Applicants appear to agree on a distinction between the references and the claims being rejected; namely, that the query of *Anderson* and *MacPherson* does not include geographic location information, and instead that the references disclose some mechanism for a best guess at geographic location information derived from network communications data."

Examiner respectfully disagrees with this assertion. Although the Examiner agrees that Applicant's arguments are persuasive in that cited prior art reference, *Anderson et al* (USPN 6,684,250) fails to teach a query containing geographic location information. It is the Examiner's opinion that regarding the cited prior art reference, *Macpherson et al* (USPN 6,845,400); the limitation in claims 1, 14 and 24 of "receiving a query for a network address associated with a

geographic region, wherein the query contain geographic information" is taught by *Macpherson et al* as indicated in the previous Office Actions. *Macpherson et al* teach receiving from a subscriber a connection request comprising entity identification, wherein the entity identification comprises at least one of: a calling number identification, a called number identification, an exchange modem identification, an incoming trunk group identification, **a mobile handset location identification** (emphasis added), **a subscriber location identification** (emphasis added), and a subscriber account identification (col.2 lines 29-52). Mobile handset location identification and subscriber location identification both suffice as geographic information contained in the request as a part of the entity identification information. Although location information is derived from the request, the location information is derived from the entity identification information that is contained in the request (col.2 lines 31-35, col.9 lines 58-65). Therefore the rejections under *Macpherson et al* are maintained since *Macpherson et al* is consistent in teaching the above limitation in accordance with the claim language.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims **1-36, 38 and 39** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Anderson et al* (USPN 6,684,250) in view of *Macpherson et al* (USPN 6,845,400).

a. **Per claim 1**, *Macpherson et al* teach a method of locating network addresses according to geographic information, comprising:

- receiving a query for a network address associated with a geographic region, wherein the query contains geographic location information indicating a current position of a requesting device, wherein the network address being requested is a publicly accessible website address belonging to a third-party place of business and at which hypertext content accessible via the hypertext transfer protocol is located, the content being related to the place of business (Abstract, col.2 line 29-col.4 line 3, col.4 lines 46-67, col.7 line 56-col.8 line 10 and col.8 line 48-col.9 line 50; subscribers establish connections and submit request from which location data is extracted, once established the subscriber may request a web page from a content provider via the ISP);

- parsing the query (col.2 lines 29-62, col.7 line 56-col.8 line 10 and col.7 line 56-col.8 line 10; location data is extracted from the request); and

- locating, in a network address locator data structure, geographic region information defining the geographic region and satisfying the query according to the geographic location information and wherein the network address locator data structure further includes the website address in association with the geographic region information (col.3 line 30-col.4 line 3 and col.8 line 48-col.9 line 50; content is provided to the subscriber in response to the location information of the subscriber and the content requested); and

- returning at least the website address associated with the geographic region, wherein the returned website address is in a form allowing a user of the requesting device to access a website at the website address via a web browser (col.3 lines 30-46, col.7 line 6-col.8 line 10, col.8 line 48-col.9 line 50; content is provided to the subscriber in response to the location information of the subscriber and the content requested).

Yet *Macpherson et al* fail to explicitly teach locating network addresses according to geographic information and returning website address associated with the geographic region. However, *Anderson et al* disclose delivery of geolocation data associated with a network address in response to a user's query wherein the website address is retrieved for access to the user via a web browser (col.8 line 10-col.9 line 24, col.9 line 54-65 and col.14 lines 35-40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Macpherson et al* and *Anderson et al* for the purpose of locating and retrieving for the user, network addresses in response to the user's query

and the user's location; because it would serve to fulfill the user's request and offer convenient and efficient services by taking into account the user's location.

b. **Claims 14 and 24** contain limitations that are substantially similar to claim 1 and are therefore rejected under the same basis.

c. **Per claim 29**, *Anderson et al* teach a server computer system, comprising:

- a storage area containing a network address locator data structure comprising meta-tags associated with network addresses; wherein the meta-tags contain geographic region information defining regions (Figure 1B, col.8 line 36-col.9 line 24 and col.13 lines 1-18; data warehouse for network addresses with records and subnet identifiers); and

- an application configured to: search the network address locator data structure for a network address associated with a region in response to receiving a query containing geographic location information indicative of a current location of a requesting device, wherein the network address being requested by the query is a publicly accessible website address belonging to a third-party place of business and at which hypertext content accessible via the hypertext transfer protocol is located, the content being related to the place of business; and return the network address to a requesting entity from which the query was received (col.8 line 10-col.9 line 24, col.9 line 54-65 and col.14 lines 35-40; provision for data collection agents, delivery engine, data collection and analysis system—the delivery of geolocation data associated with a network address in response to a user's query wherein the website address is retrieved for access to the user).

Yet *Anderson et al* fail to explicitly teach searching the network address locator in response to receiving a query containing geographic location information indicative of a current location of a requesting device However, *Macpherson et al* disclose receiving from a subscriber a connection request comprising entity identification, wherein the entity identification can comprises a mobile handset location identification, a subscriber location identification, and a subscriber account identification (col.2 lines 29-52).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Anderson et al* and *Macpherson et al* for the purpose including geographic location information in the query, in order to formulate a response of network address results based on the geographic location information, without prompting the user for additional location information. This is turn provides users with relevant information and customized services, based on geographic location data in the query.

d. **Claim 34** contains limitations that are substantially similar to claim 29 and is therefore rejected under the same basis.

e. **Per claim 2,** *Macpherson et al* and *Anderson et al* teach the method of claim 1, *Anderson et al* further teach wherein locating comprises spatially matching the geographic region information to geographic location information (col.2 line 59-col.4 line 65, col.7 line 64-col.8 line 9 and col.15 line 22-col.16 line 19).

f. **Claim 22** is substantially similar to claim 2 and is therefore rejected under the same basis.

g. **Per claim 3,** *Anderson et al* teach the method of claim 2, wherein spatially matching comprises determining that at least one point defined by the geographic location information is contained within the geographic region (col.2 line 59-col.4 line 65, col.7 line 64-col.8 line 9, col.15 line 22-col.16 line 19 and col.16 line 45-col.17 line 19).

h. **Claim 23** is substantially similar to claim 3 and is therefore rejected under the same basis.

i. **Per claim 4,** *Macpherson et al* and *Anderson et al* teach the method of claim 1, *Anderson et al* further teach wherein the network address locator data structure is a searchable

index compiled by at least one spider (col.9 line 25-col.10 line 67 and col.14 line 44-col.15 line 8).

j. **Claims 16, 31 and 35** are substantially similar to claim 4 and are therefore rejected under the same basis.

k. **Per claim 5,** *Macpherson et al* and *Anderson et al* teach the method of claim 1, *Macpherson et al* further teach wherein locating comprises accessing user-defined region information containing at least one region defined by the user issuing the query (col.5 line 14-col.6 line 27).

l. **Claims 17 and 26** are substantially similar to claim 5 and are therefore rejected under the same basis.

m. **Per claim 6**, *Macpherson et al* and *Anderson et al* teach the method of claim 1, *Anderson et al* further teach wherein the network address locator data structure comprises a plurality of network address entries and associated geographic entries (Figure 1B, col.8 line 36-col.9 line 24 and col.13 lines 1-18).

n. **Claim 18** is substantially similar to claim 6 and is therefore rejected under the same basis.

o. **Per claim 7,** *Macpherson et al* and *Anderson et al* teach the method of claim 1, *Macpherson et al* further teach wherein the geographic location information comprises global positioning system (GPS) coordinates (col.7 lines 5-39; provision for acquiring latitude, longitude, and altitude data which are GPS coordinates—and *Anderson et al* col.15 lines 52-54).

p. **Claims 8, 9, 19, 20, 21, 30, 32, 33, 38 and 39** are substantially similar to claim 7 and are therefore rejected under the same basis.

q. **Per claim 10,** *Macpherson et al* and *Anderson et al* teach the method of claim 1, *Anderson et al* further teach wherein the query contains search information indicating to a search tool a geographic region search mode (col.15 lines 26-32 and col.16 lines 5-19).

r. **Claims 15 and 25** are substantially similar to claim 10 and are therefore rejected under the same basis.

s. **Per claim 11,** *Macpherson et al* and *Anderson et al* teach the method of claim 1, *Anderson et al* further teach wherein the query contains search information indicating to a search tool a geographic location search mode and wherein locating the geographic region comprises accessing a geographic region entry of the network address locator data structure (col.15 line 61-col.16 line 19).

t. **Per claim 12,** *Macpherson et al* and *Anderson et al* teach the method of claim 1, *Anderson et al* further teach wherein searching for the network addresses comprises processing metatag information retrieved from geographic location metatags contained in Web pages, wherein the geographic location metatags comprise a geographic location name attribute and an associated content attribute containing the geographic region information (col.2 line 20-col.4 line 65, col.8 line 50-67 and col.10 lines 61-67).

u. **Per claim 13,** *Anderson et al* teach the method of claim 12, wherein the geographic location metatags contain geographic region information for a plurality of regions (col.2 line 20-col.4 line 65, col.8 line 50-67 and col.15 line 22-col.16 line 19).

v. **Claim 36** is s substantially similar to claim 13 and is therefore rejected under the same basis.

w. **Per claim 27,** *Macpherson et al* and *Anderson et al* teach the method of claim 24, *Anderson et al* further teach wherein discarding comprises accessing user-preference information to eliminate the at least one of the at least two network addresses (col.2 line 59-col.3 line 31 and col.8 line 50-col.9 line 44).

x. **Per claim 28,** *Macpherson et al* and *Anderson et al* teach the method of claim 24, *Anderson et al* further teach wherein displaying comprises displaying only the network address associated with a geographic region (col.2 line 59-col.3 line 31, col.8 line 50-col.9 line 44 and col.23 line 58-col.25 line 28).

5. Claim **37** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Macpherson et al* (USPN 6,845,400) and *Anderson et al* (USPN 6,684,250) in view of *Kubica et al* [US 2002/0035432].

Per claim 37, *Macpherson et al* and *Anderson et al* teach the data structure of claim 24 as applied above, yet fail to distinctly teach the data structure wherein the at least one network address is a uniform resource locator. However, *Kubica et al* teach the provision for using a URL or an IP address [paragraphs 0096-0098].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Macpherson et al* and *Anderson et al* with *Kubica et al* for the purpose of permitting a network address in the form of a URL; because a uniform resource locator (URL) is a common format used for specifying network address and web addresses and is an obvious feature.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: *Hancock et al* (USPN 6,295,502), *Ryu* (USPN 6,377,961), *Matsushima et al* (USPN 6,912,514), *Naidoo* (USPN 6,629,136), *Baker* (USPN 6,782,436).

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER